

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CR. NO. 2:08-cr-025-WHA
	)	
FIDEL CORREA-BERMUDEZ	)	

GOVERNMENT'S MOTION FOR DETENTION HEARING

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and pursuant to 18 U.S.C. 3142(e) and (f) moves for a detention hearing for the above-captioned defendant.

1. Eligibility of Cases

This case is eligible for a detention order because this case involves:

<input type="checkbox"/>	10 + year crime of violence (18 U.S.C. 3156)
<input type="checkbox"/>	10 + year federal crime of terrorism (18 U.S.C. § 2332b(g)(5)(B))
<input type="checkbox"/>	Maximum sentence of life imprisonment or death
<input type="checkbox"/>	10 + year drug offense
<input type="checkbox"/>	Felony, with two prior convictions in the above categories
<input type="checkbox"/>	Felony involving a minor victim
<input type="checkbox"/>	Felony involving possession or use of a firearm or other destructive device (as defined by 18 U.S.C. 921) or any other dangerous weapon
<input type="checkbox"/>	Failure to register a sex offender (18 U.S.C 2250)
<input checked="" type="checkbox"/>	Serious risk the defendant will flee
<input type="checkbox"/>	Serious risk of obstruction of justice

2. Reason For Detention

The Court should detain defendant because there are no conditions of release which will

reasonably assure:

  X   Defendant's appearance as required  
      Safety of any other person and the community

3. Rebuttable Presumption

The United States will invoke the rebuttable presumption against defendant under Section 3142(e). The presumption applies because:

      Previous conviction for "eligible" offense committed while on pretrial bond, and a period of five years has not elapsed from defendant's conviction or release from imprisonment for the offense described  
      Probable cause to believe defendant committed 10 + year drug offense or an offense in which a firearm was used or carried under Section 924(c)  
      Probable cause to believe defendant conspired to kill, kidnap, maim, or injure persons in a foreign country as prohibited under 18 U.S.C. § 956(a)  
      Probable cause to believe defendant committed act of terrorism transcending national boundaries (18 U.S.C. § 2332) or a 10 + year federal crime of terrorism as defined in 18 U.S.C. § 2332b(g)(5)(B))  
      Probable cause to believe defendant committed 10 + year offense involving a minor victim

4. Time For Detention Hearing

The United States requests the Court conduct the detention hearing:

      At the initial appearance  
  X   After continuance of 3 days

The Government requests leave of Court to file a supplemental motion with additional grounds or presumption for detention should this be necessary.

Respectfully submitted this the 22nd day of February, 2008.

LEURA G. CANARY  
United States Attorney

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**CERTIFICATE OF SERVICE**

I hereby certify that on February 22, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Michael J. Petersen.

Respectfully submitted,

/s/ Susan R. Redmond  
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